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Attorney for Defendant  
7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,

11 Plaintiff,

12 v.  
13

14 Devonte Okeith Mathis,

15 Defendant.  
16

NO. CR21-2714-TUC-RM (MSA)

**MOTION TO CONTINUE  
TRIAL AND EXTEND PLEA  
DEADLINE**

(Sixth Request – In Custody)

17 It is expected that excludable delay under Title 18, United States Code,  
18 § 3161(h)(7)(A), (B)(iv), will occur as a result of this motion or an order based thereon.

19 Defendant, Devonte Okeith Mathis, through counsel, requests a 90-day  
20 continuance of the trial date currently scheduled for November 1, 2022, and to extend the  
21 plea deadline currently set for October 14, 2022. This request is made for the following  
22 reasons:  
23

- 24 1. Defense counsel will need additional time to review disclosure and discuss  
25 a potential amendment to the Government's plea offer with Mr. Mathis.  
26  
27  
28

1 Additional time is needed to conduct investigation and pretrial preparation  
2 for a trial or a non-trial disposition.

3 2. Assistant United States Attorney, Dimitra Sampson, has no objection to this  
4 request.  
5

6 3. Denial of this request to continue will result in a miscarriage of justice. 18  
7 U.S.C. § 3161(h)(7)(B)(i).  
8

9 4. This is the sixth request to continue. Mr. Mathis is in custody.

10 5. Defense counsel requests a 90-day continuance and requests that a  
11 scheduling order **not** be issued at this time as an order may negatively  
12 impact Mr. Mathis's opportunity to take advantage of a Government offer.  
13

14 In the interest of judicial economy and in order to resolve any pretrial matters  
15 efficiently, counsel requests a continuance of 90 days of the plea deadline and trial date  
16 set. This request is not made for the sole purpose of delay.

17 RESPECTFULLY SUBMITTED: October 11, 2022.

18 JON M. SANDS  
19 Federal Public Defender

20 *s/ Walter Eric Rau*  
21 W. ERIC RAU  
22 Attorney for Defendant

23 ECF copies this date to:  
24 DIMITRA SAMPSON  
25 KEITH VERCAUTEREN  
LINDSAY SHORT, Assistants  
United States Attorney's Office  
26  
27  
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